

Regulatory Weaknesses in Legal Enforcement Against Administrative Court Decision Neglect in Indonesia's Administrative Law System

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ABSTRACT: The Administrative Court (PTUN) serves as a critical pillar in Indonesia's legal system, tasked with reviewing and annulling unlawful decisions made by state administrative officials. Despite the binding nature of its decisions, implementation remains alarmingly low. Between 2017 and 2023, only 108 out of 12,877 final and binding PTUN rulings were voluntarily enforced. This empirical reality underscores a fundamental weakness in Indonesia's administrative law enforcement mechanism. This study critically analyses the regulatory framework governing the enforcement of PTUN decisions, focusing on Law No. 51/2009 (particularly Article 116), Law No. 30/2014, PP No. 94/2021, and Supreme Court Regulation No. 8/2017, alongside Constitutional Court Decision No. 24/PUU-XXII/2024. Using a socio-legal approach and critical qualitative analysis, this article evaluates the structural, normative, and procedural dimensions of the current system. It reveals a consistent pattern of regulatory inefficacy, marked by vague procedural standards, fragmented institutional responsibilities, and limited coercive mechanisms. This study identifies three critical regulatory gaps: (1) absence of independent execution bodies, (2) symbolic sanctions without deterrent effect, and (3) a flawed hierarchical enforcement model that relies heavily on superior officials' discretion. The study proposes a novel hybrid reconstruction that integrates best practices from international models—such as contempt of court and execution authorities in the U.S., France, and Thailand—with Pancasila-based dignified justice principles. This hybrid model offers a constitutional and culturally grounded framework to strengthen administrative court authority and protect citizens' legal certainty.

KEYWORDS: PTUN, administrative law, judgment enforcement, regulatory reform, dignified justice, Pancasila, rule of law

I. INTRODUCTION

In a constitutional democracy founded on the rule of law (*rechtsstaat*), court decisions must not only be final and binding, but also effectively executed. This principle is especially crucial in administrative justice, where judicial review functions as a safeguard against the arbitrary exercise of power by state officials. The Indonesian Administrative Court (*Peradilan Tata Usaha Negara* or PTUN), established under Law No. 5/1986 and amended by Law No. 51/2009, is designed to protect citizens from unlawful government decisions. However, despite its legally binding authority, PTUN decisions are frequently ignored by administrative officials. Between 2017 and 2023, only 108 of 12,877 final and binding PTUN decisions were voluntarily executed, reflecting a systemic failure in legal enforcement [1].

This persistent neglect has triggered concerns about the credibility of judicial institutions and the broader erosion of the rule of law. Scholars and practitioners have criticized the lack of institutional will, bureaucratic resistance, and weak sanctions. While existing studies (e.g., Hadjon, 1987; Asshiddiqie, 2006) diagnose Indonesia's administrative justice problems, none systematically examine how regulatory design enables non-enforcement. This research fills that gap through critical legal analysis of Article 116 and its implementing regulations. It interrogates how the legal architecture—though seemingly adequate on paper—lacks the procedural, institutional, and normative tools necessary for coercive execution. The study further proposes a reconstruction of the regulatory regime by combining international enforcement models with Pancasila-based dignified justice, offering a constitutional path toward reform [2].

Data from the Directorate of Technical Personnel Development and Administrative Court Administration reveals a troubling pattern: between 2017 and 2023, of 12,877 Administrative Court decisions with permanent legal force, only 108 were voluntarily executed by officials, while only 392 were successfully enforced through formal execution processes. This means 12,485 decisions (approximately 97%) remained unenforced, leaving thousands of citizens without effective remedies despite favorable court rulings. This enforcement deficit reflects a systemic failure in Indonesia's administrative justice system, where court decisions are treated as mere recommendations rather than binding legal obligations. The current enforcement mechanism relies primarily on officials'

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voluntary compliance (law awareness) rather than compulsory legal enforcement, undermining the court's authority and citizens' rights to effective remedies.

Indonesia's legal framework for enforcing Administrative Court decisions is primarily governed by Law No. 51/2009 (amending Law No. 5/1986 on Administrative Courts), particularly Article 116. This provision establishes a "fixed execution" system, theoretically allowing courts to enforce decisions through various mechanisms:

1. Mandatory execution within 60 days of final decisions
2. Administrative sanctions and monetary penalties for non-compliant officials
3. Public announcement of non-compliance in local media
4. Referral to the President and Parliament for further action

Supporting regulations include Law No. 30/2014 on Government Administration, Law No. 37/2008 on the Ombudsman, Government Regulation No. 94/2021 on Civil Service Discipline, and Supreme Court Regulation No. 8/2017 on Administrative Court Procedural Guidelines. Additionally, Constitutional Court Decision No. 24/PUU-XXII/2024 restricts government officials' right to judicial review, theoretically strengthening enforcement.

Despite this seemingly comprehensive framework, enforcement remains ineffective due to several critical weaknesses:

1. The absence of an independent execution agency with direct enforcement powers
2. Inadequate sanctions that fail to deter non-compliance
3. Excessive reliance on hierarchical enforcement through superiors who may share institutional interests with non-compliant officials
4. Lack of contempt of court provisions that could provide meaningful penalties for defiance

This regulatory weakness becomes more apparent when compared with administrative justice systems in other jurisdictions. In the United States, the doctrine of contempt of court provides courts with powerful enforcement tools against non-compliant officials. France's Conseil d'État has strong authority to ensure compliance with its decisions, while Thailand has established a Legal Execution Department specifically tasked with enforcing administrative court decisions. Indonesia's system, by contrast, lacks both the institutional framework and legal mechanisms to ensure effective enforcement, creating what legal scholars have termed a "symbolic justice" system where favorable judgments often remain unimplemented.

A. Theoretical Framework

This study employs three complementary theoretical frameworks to analyze the enforcement deficit:

1. Dignified Justice Theory (Teguh Prasetyo): Emphasizes that justice must uphold human dignity and reflect Indonesia's Pancasila values, particularly the principles of just and civilized humanity and social justice.
2. Gustav Radbruch's Legal Values Theory: Posits that law must balance justice, utility, and legal certainty, with justice as the primary value. The current enforcement system prioritizes procedural certainty over substantive justice.
3. Legal System Theory (Lawrence M. Friedman): Analyzes legal systems through three components—legal substance, structure, and culture. Indonesia's administrative justice system shows weaknesses in all three dimensions.

B. Research Questions and Objectives

This study addresses three fundamental questions:

1. How does Indonesia's positive law regulate enforcement against state officials who ignore Administrative Court decisions?
2. Why do current enforcement regulations fail to deliver justice?
3. How can enforcement mechanisms be reconstructed to achieve dignified justice?

The research aims to critically analyze the current regulatory framework, identify its weaknesses, and propose comprehensive reforms to strengthen enforcement mechanisms based on dignified justice principles.

II. METHODOLOGY

This study employs a critical legal studies approach within a constructivist paradigm, utilizing socio-legal research methods. Data was collected from both primary sources (including court decisions, legal documents, and interviews with key stakeholders) and secondary sources (legal materials, academic literature, and comparative studies). The analysis employs a qualitative critical method that examines not only the formal legal aspects but also the power relations and structural factors that contribute to enforcement failures.

This article represents the first part of a comprehensive study on Administrative Court decision enforcement in Indonesia, focusing on the critical analysis of the current regulatory framework. Subsequent publications will address the justice deficit in enforcement and propose a reconstruction model based on dignified justice principles.

III. RESULTS AND DISCUSSION

Enforcement of Administrative Court Decisions in Indonesia

1. Current Legal Framework for Enforcement of Administrative Court Decisions

The legal framework for enforcement of Administrative Court decisions in Indonesia reveals significant structural weaknesses that undermine the rule of law principle. Analysis of the regulatory framework shows that while multiple laws and regulations address enforcement mechanisms, they remain ineffective in practice due to their procedural rather than substantive nature [3].

1.1 Primary Legal Framework

The enforcement of Administrative Court decisions is primarily regulated under Law No. 51/2009 (amending Law No. 5/1986 on Administrative Courts), particularly Article 116, which establishes a "fixed execution" system with the following mechanisms:

1. Mandatory execution within 60 days of final decisions
2. Administrative sanctions and monetary penalties for non-compliant officials
3. Public announcement of non-compliance in local media
4. Referral to the President and Parliament for further action

Supporting regulations include:

- Law No. 30/2014 on Government Administration (Articles 80-84)
- Law No. 37/2008 on the Ombudsman (Article 1(3) and Article 38(1))
- Government Regulation No. 94/2021 on Civil Service Discipline
- Supreme Court Regulation No. 8/2017 on Administrative Court Procedural Guidelines
- Constitutional Court Decision No. 24/PUU-XXII/2024 (restricting government officials' right to judicial review)

1.2 Empirical Evidence of Enforcement Failure

Monitoring data from 2017-2023 reveals a troubling pattern of non-compliance:

Year	Final Decisions	Voluntary Execution	Completed Execution	Unexecuted Decisions
2017	1,397	0	23	1,374
2018	1,729	1	32	1,696
2019	2,010	3	42	1,965
2020	1,734	2	43	1,689
2021	1,953	19	52	1,882
2022	2,217	39	84	2,094
2023	1,837	42	116	1,679
Total	12,877	108	392	12,485

1.3 Comparative International Analysis

The structural weaknesses of Indonesia's administrative court enforcement system become even more pronounced when viewed considering comparative international practices. Many countries with mature administrative justice systems have established robust legal and institutional mechanisms that ensure court decisions are not only final but also effectively executable. These comparative models provide valuable insights into how enforcement power can be designed to uphold judicial authority, deter disobedience, and preserve public confidence in the legal system [4].

In the United States, the doctrine of contempt of court is a central instrument of enforcement. Courts have the authority to impose direct sanctions—such as fines or even imprisonment—on officials who fail to comply with court rulings. This doctrine applies not only to civil cases but also to administrative orders and constitutional violations. The power to hold public officials in contempt ensures that the judiciary is not merely declaratory but commanding, enforcing compliance even against reluctant government actors. The existence of injunctive relief and court-appointed monitors further strengthens institutional compliance.

In France, the Conseil d'État functions as both the highest administrative court and legal advisor to the government. It has comprehensive powers to ensure compliance with its decisions, including the imposition of financial penalties on public authorities that delay or resist implementation. These penalties are not symbolic; they are legally binding and can be enforced through the treasury or financial accountability mechanisms. Furthermore, failure to comply may trigger political scrutiny and institutional consequences. The French model emphasizes not only judicial authority but also administrative discipline and hierarchical accountability.

In the Netherlands, administrative courts possess clear authority to annul unlawful administrative decisions and compel corrective actions. More importantly, Dutch law provides for direct and effective legal sanctions against public authorities that fail to act on court decisions. These include financial compensation to affected citizens and disciplinary or even criminal charges against

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responsible officials. The Dutch system places strong emphasis on the state's legal liability and enshrines the principle of *rechtseenheid* (legal unity), ensuring that administrative justice is binding across all levels of government.

Egypt's *Majlis al-Dawla* (State Council) offers a particularly unique example. It serves as the administrative judiciary, the government's legal advisor, and an oversight body over the legality of administrative actions. It holds the authority to adjudicate disputes, issue binding legal opinions, and oversee the execution of its decisions. Notably, Egyptian law permits the imposition of both civil and criminal sanctions on state officials who deliberately refuse or neglect to implement rulings. This integration of adjudication and enforcement represents a holistic model where legal oversight is tightly coupled with institutional accountability.

In Thailand, the government has established a dedicated Legal Execution Department responsible for executing administrative court decisions. This department operates independently of the executive authorities being reviewed. It ensures that once a decision is issued, there is a systematic, bureaucratically supported mechanism to carry it out. The Thai model separates the judiciary's adjudicatory function from the executive's interest, thereby insulating enforcement from political interference and bureaucratic inertia. It demonstrates that judicial decisions need not rely solely on good faith or superior discretion for compliance.

By contrast, Indonesia's system lacks both the institutional infrastructure and coercive legal instruments to ensure that PTUN rulings are executed. There is no specialized enforcement agency, no binding contempt sanctions, and no independent oversight mechanism. As a result, PTUN decisions often depend on the voluntary goodwill of the very officials they seek to restrain. This places Indonesia in a paradoxical position: while claiming adherence to the rule of law, it tolerates a practice where judicial pronouncements carry little consequence. The outcome is what can be termed a symbolic justice system—one in which favorable rulings provide moral vindication but fail to generate legal outcomes or behavioral change [5].

The comparative insights above highlight a critical lesson: enforcement is not a secondary technicality but a core component of judicial integrity. Without an empowered and independent enforcement framework, the judicial process risks becoming performative rather than transformative. For Indonesia to move beyond symbolic legality, it must consider adopting or adapting institutional models that ensure administrative decisions are not only reviewed but implemented, and that disobedience is met with proportionate and effective consequences.

2. STRUCTURAL WEAKNESSES IN PROSECUTORIAL AUTHORITY AND INTER-AGENCY COORDINATION

The current enforcement system for Administrative Court decisions in Indonesia suffers from multiple deficiencies that prevent it from delivering substantive justice [6]. These weaknesses can be categorized into four dimensions:

2.1 Regulatory Deficiencies

The existing regulatory framework fails to provide effective enforcement mechanisms for several reasons:

1. **Weak Sanctions:** Current regulations only provide for administrative sanctions and monetary penalties without significant deterrent effect. Officials who ignore court decisions face minimal consequences.
2. **Absence of Execution Agency:** Unlike other judicial systems, Administrative Courts lack a dedicated execution agency with direct enforcement powers, relying instead on hierarchical enforcement through superiors who may share institutional interests with non-compliant officials.
3. **Lack of Contempt of Court Provisions:** The absence of contempt of court provisions means there are no meaningful penalties for defiance of court orders.
4. **Procedural Rather Than Substantive Focus:** The regulatory framework emphasizes procedural compliance rather than substantive justice, with execution mechanisms that lack direct enforceability.

2.2 Structural Deficiencies

The institutional structure for enforcing Administrative Court decisions is inadequate:

1. **No Independent Execution Body:** Unlike civil or criminal courts, Administrative Courts have no dedicated execution body to enforce their decisions.
2. **Weak Oversight Mechanisms:** Limited coordination between oversight institutions (courts, ombudsman, civil service commission) undermines effective monitoring of decision implementation.
3. **Hierarchical Execution Model:** The current model relies on the superior of the non-compliant official to enforce the decision, creating conflicts of interest when the institution itself has stakes in non-compliance.

2.3 Cultural Deficiencies

The legal culture surrounding Administrative Court decisions contributes to non-compliance:

1. **Power Mentality:** Many officials exhibit a "power mentality" that prioritizes institutional or positional interests over legal obligations.
2. **Perception of Court Decisions as Recommendations:** Administrative officials often view court decisions as mere recommendations rather than binding legal obligations.

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3. Lack of Legal Awareness: Low awareness of legal obligations among government officials contributes to non-compliance with court decisions.

2.4 Philosophical Deficiencies

The enforcement system fails to align with fundamental philosophical principles of law:

1. Disconnect from Substantive Justice: The current system prioritizes procedural certainty over substantive justice, contrary to Gustav Radbruch's theory that justice should be the primary value in law.
2. Violation of Rule of Law Principles: Non-compliance with court decisions undermines the supremacy of law (supremacy of law) and equality before the law (equality before the law) principles.
3. Disregard for Human Dignity: When officials ignore court decisions that affirm citizens' rights, they violate the principle of human dignity that should be central to the legal system.

3. CASE STUDIES OF NON-COMPLIANCE

The persistent problem of non-compliance with administrative court rulings in Indonesia is not merely theoretical but reflected in concrete, documented cases. The following case studies illustrate recurring patterns where state officials acknowledge the legal validity of court decisions yet consciously choose not to implement them. These cases reveal that legal disobedience is often systemic, influenced by political considerations, regulatory weakness, and institutional inertia [7].

3.1 Case of Putusan No. 7/FP/2017/PTUN.Kdi

This case involved the Southeast Sulawesi Provincial Health Office, which failed to comply with a final court decision ordering the release of regional assets. According to Masnawati Tombili, Secretary of the Health Office, the decision was deliberately ignored due to political pressure. She stated:

“The Southeast Sulawesi regional government did not want to release regional assets that would be used as a heart hospital. Although legally we knew that the head of the State Administrative Court had issued an execution determination letter in 2022, we had no power against the leadership's wishes. All matters were returned to the government's legal bureau.”

This statement exemplifies how political authority within regional government structures can override binding judicial decisions. Even after the issuance of a formal execution order, bureaucratic subordinates lack both institutional autonomy and legal protection to implement court decisions against the political will of regional leaders. The case underscores the fragile position of law when confronted with executive dominance and reveals the absence of safeguards to protect implementing officers who choose to uphold judicial authority [8].

3.2 Case of Putusan No. 33/G/22/PTUN.PLK

In this case, an administrative official refused to implement a court decision, even after the ruling was upheld by the appellate court. There was no enforcement action taken, and no disciplinary or legal sanctions were imposed on the non-compliant official. This case demonstrates the structural impunity embedded within the system. Despite judicial affirmation through multiple legal levels, there exists no practical mechanism to compel compliance or penalize resistance. The official's continued defiance signals that, in practice, legal finality does not equate to enforceability—a contradiction that undermines the authority of administrative courts [9].

3.3 Case of Putusan No. 27/B/2023/PT.TUN.BJM

This case reinforces the systemic nature of non-compliance. The decision was again disregarded by the responsible public official without facing any meaningful legal consequence. According to Mastri Susilo, Head of the Southeast Sulawesi Ombudsman Representative Office, one of the root causes is the weakness of the regulatory framework itself. He noted:

“One of the weaknesses in enforcing Administrative Court decisions is the regulatory aspect that does not strictly regulate sanctions for administrative officials who ignore them.”

This admission from an oversight institution highlights a key structural deficiency: the absence of enforceable legal norms and procedural clarity regarding sanctions. The lack of statutory obligation, clear enforcement channels, or personal accountability allows public officials to dismiss court decisions with impunity [10].

4. THEORETICAL ANALYSIS OF ENFORCEMENT DEFICIENCIES

4.1 Analysis Through the Rule of Law Theory

From the perspective of rule of law theory, which emphasizes the supremacy of law, equality before the law, and protection of human rights, Indonesia's administrative justice system shows significant gaps between formal recognition and practical implementation. While the principle of rule of law is formally recognized in the constitution and regulations, its implementation remains weak. Many Administrative Court decisions go unimplemented because officials feel there are no real consequences or due

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to political intervention. This creates a gap between law as a norm and law as reality—a phenomenon often criticized in rule of law theory in developing countries.

4.2 Analysis Through Gustav Radbruch's Theory

Gustav Radbruch's theory emphasizes three basic values of law: legal certainty (*Rechtssicherheit*), justice (*Gerechtigkeit*), and utility (*Zweckmäßigkeit*). Countries like the Netherlands, France, and the United States achieve a better balance between these three values:

- Legal certainty through official compliance with court decisions
- Justice through effective legal protection for citizens
- Utility through administrative stability and policy consistency

In Indonesia, however, the emphasis on procedural certainty comes at the expense of substantive justice, creating a system where citizens win cases but gain no practical benefit from these victories [11].

4.3 Analysis Through Dignified Justice Theory

The theory of dignified justice (*Keadilan Bermartabat*) developed by Teguh Prasetyo emphasizes that justice must uphold human dignity and reflect Indonesia's Pancasila values, particularly the principles of just and civilized humanity and social justice.

The current enforcement system fails to meet these standards because:

1. It allows officials to ignore court decisions that affirm citizens' rights, thereby diminishing human dignity
2. It creates a system of "symbolic justice" where favorable judgments exist on paper but not in reality
3. It undermines public trust in the legal system, contrary to Pancasila values of justice and humanity

When officials ignore Administrative Court decisions without consequences, the state symbolically denies the rights of its citizens that have been guaranteed by the court. This creates a form of legal impoverishment where law becomes rhetoric without substantive meaning for justice seekers.

5. PROPOSED RECONSTRUCTION OF THE ENFORCEMENT SYSTEM

In light of the persistent and systemic failure to enforce Administrative Court (PTUN) decisions in Indonesia, this study proposes a comprehensive, multidimensional reconstruction of the enforcement system. The inadequacies identified are not merely technical or incidental, but structural and cultural. Therefore, any meaningful reform must transcend piecemeal regulatory revisions and instead engage with the deeper regulatory, institutional, cultural, and philosophical underpinnings of Indonesia's legal enforcement framework [12].

5.1 Regulatory Reconstruction

At the heart of the enforcement failure lies the weakness of the current legal framework, particularly Article 116 of Law No. 51/2009, which governs execution mechanisms. To enhance its efficacy, several substantive revisions are proposed. First, the grace period for applying for execution should be reduced from 90 to 60 working days (Paragraph 3), enabling faster legal certainty and reducing bureaucratic inertia. Second, administrative sanctions must be significantly strengthened. The current system, which relies on financial penalties (forced money), has proven largely ineffective. Instead, Paragraph 4 should be revised to incorporate escalating disciplinary sanctions, up to and including dismissal from office for deliberate non-compliance.

Moreover, a new Paragraph 5 should be introduced to mandate inter-institutional synergy in execution, enabling the court to direct other relevant agencies to assist when primary officials face institutional barriers. This anticipates practical difficulties in multi-agency disputes and expands the functional reach of the court. In addition, a new Paragraph 6 should introduce contempt of court provisions, criminalizing intentional disobedience to court orders by public officials or third parties. This would align Indonesia with jurisdictions that recognize judicial authority as inherently coercive.

To address the root of hierarchical stagnation, Paragraph 7 should be rewritten to transfer execution authority from executive hierarchies to a specialized independent agency. The current Paragraph 7, which regulates forced monetary payments, should be deleted altogether, as it is redundant under a revised and more coercive administrative sanction framework. This regulatory reconstruction is not just a matter of legal drafting but a structural recalibration of authority between the judiciary and executive.

5.2 Structural Reconstruction

Legal reform without institutional empowerment risks becoming normative formalism. Therefore, this study proposes the establishment of an independent Execution Agency (*Badan Eksekusi*), possibly under the Ministry of Law and Human Rights but with judicial oversight, modeled after Thailand's Legal Execution Department. This agency would have the mandate and operational capacity to execute PTUN decisions without reliance on the discretion of the losing party.

Furthermore, formal coordination mechanisms must be established among the Administrative Courts, the Ombudsman, the Civil Service Commission, and other relevant oversight bodies. These institutions should operate in a monitoring consortium that tracks implementation, flags resistance, and facilitates escalation to enforcement. In addition, the Administrative Court itself must

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be granted autonomous enforcement powers, including the authority to impose real-time sanctions on non-compliant parties without having to channel through executive hierarchies. The judiciary must be repositioned not as a passive adjudicator but as an empowered enforcer [13].

5.3 Cultural Reconstruction

Legal culture plays a decisive role in the efficacy of legal enforcement. In Indonesia, a bureaucratic mindset that sees court decisions as optional or subordinate to political directives has contributed to systemic disobedience. To remedy this, comprehensive legal education and awareness programs must be implemented for government officials, emphasizing the binding nature of PTUN decisions and the consequences of non-compliance.

Simultaneously, ethical standards for public officials should be revised to embed judicial obedience as a core tenet of administrative professionalism. These standards should be codified, institutionalized in public service codes, and tied to performance evaluation metrics. Moreover, public transparency mechanisms—such as publicly accessible compliance dashboards or annual compliance reports—should be developed to hold institutions accountable in the public eye. Public pressure can serve as a complementary enforcement tool, reinforcing formal sanctions with reputational consequences [14].

5.4 Philosophical Reconstruction

Beyond law and bureaucracy, the enforcement of court decisions must be grounded in a coherent philosophical framework that reflects Indonesia's constitutional and cultural identity. Enforcement mechanisms must resonate with the values of Pancasila, especially the principles of “just and civilized humanity” and “social justice for all Indonesians.” These values affirm that legal decisions must not only exist but must be honored, enforced, and made meaningful in the lives of citizens.

In parallel, Islamic legal principles offer moral and normative resources that reinforce the urgency of compliance. Concepts such as *adl* (justice), *maslahah* (public interest), and *mafsadah* (harm prevention) emphasize the obligation of state authorities to act in accordance with judicial rulings, especially when such rulings aim to restore citizens' rights and prevent continued injustice.

Finally, the concept of “Dignified Justice” (*Keadilan Bermartabat*) must be placed at the center of the enforcement architecture. The court must be viewed not merely as a forum for legal pronouncement, but as a guarantor of dignity—ensuring that citizens' rights are upheld not just in theory but in lived reality. The dignity of the citizen is only protected when judicial decisions carry both moral weight and coercive force [15].

CONCLUSION

The analysis in this article reveals a fundamental flaw in Indonesia's administrative legal system: the lack of a functional and coercive enforcement mechanism for Administrative Court (PTUN) decisions. While the normative framework—particularly Article 116 of Law No. 51/2009—appears to establish a “fixed execution” regime, it ultimately functions as a hollow shell. It relies excessively on the voluntary compliance of state officials, offering only symbolic consequences for disobedience. Complementary regulations, such as Law No. 30/2014, PP No. 94/2021, and PERMA No. 8/2017, reinforce this structural weakness by fragmenting responsibilities and downgrading non-compliance to a mere bureaucratic infraction. These legal instruments fail to create institutional incentives or punitive deterrents capable of compelling obedience to judicial orders. Beyond the formal deficiencies, the most dangerous consequence is the normalization of non-compliance. When legal decisions are ignored with impunity, the principle of rule of law is not only violated in practice but also delegitimized in public consciousness. Citizens lose faith in judicial redress, and public officials are conditioned to see judicial review as a procedural hurdle rather than a binding judgment. The Administrative Court's authority is thus rendered illusory—its power ends at the point of adjudication, while enforcement remains at the mercy of executive discretion. This dysfunction undermines not only the judiciary's credibility but also the democratic ideal of institutional checks and balances.

What is needed is not merely revision of procedural clauses or reinforcement of administrative sanctions. The findings of this study indicate that Indonesia must undertake a paradigm shift in how it conceptualizes and operationalizes judicial enforcement. The absence of an independent execution body, the ineffectiveness of symbolic sanctions, and the hierarchical dependency model together form a triad of structural defects. Addressing these requires a comprehensive legal-political reform that repositions judicial decisions as binding commands backed by institutional force. A dedicated enforcement unit, empowered by law and independent from the executive chain of command, should be established to give PTUN rulings the necessary coercive power. Moreover, drawing from international comparative models and contextualizing them within Pancasila-based dignified justice offers a culturally rooted yet structurally transformative approach. Contempt of court mechanisms, financial and administrative penalties, and execution officers—as practiced in France, the U.S., and Thailand—can be selectively adopted and hybridized to suit Indonesia's legal tradition. Such reforms will not only restore the binding force of PTUN decisions but also rehabilitate public trust in administrative justice.

In conclusion, legal norms without enforceability are performative rather than operative. A rule of law regime cannot survive on symbolic legality. To fulfill the constitutional promise of legal protection and justice for all, Indonesia must close the gap between

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judicial authority and administrative compliance. This study contributes to that goal by identifying the regulatory failures that enable disobedience and proposing a hybrid enforcement model that integrates both international best practices and indigenous legal philosophy.

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